REMARKS

The claims have been amended in view of the Office action and in view of the remarks which follow, they are believed to be in condition for allowance.

Claim Objections

In part 2 of the Detailed Action, it was stated as follows:

> "Claim 1, 12, 13, 22, and 25 are objected to because of the following informalities:"
> "Replace 'easily scraped' with -- scraped --."
> "Appropriate correction is required."

In part 3 of the Detailed Action, it was stated as follows:

> "Claim 1, 12, 13, and 25 are objected to because of the following informalities:"
> "Replace 'chip' with -- electronic integrated circuit chip --."
> "Appropriate correction is required."

Claim Rejections - 35 USC § 103

In part 4 of the Detailed Action, claims 1-8 were rejected under 35 U.S.C. 103(a) as being unpatentable over Shamir (US 5,118,369) in view of Rostoker (US 5,644, 102)], Samonides (US 5,346, 738) and Hess, Jr. et al. (US 5,279,690). The Hoppe U.S. patent No. 5,013,900 was also applied although it was not mentioned in the initial statement of page 3 of the Office Action. The Office Action stated as follows:

> "Shamir teaches a method for marking a chip by forming marking indicia on a marking location upon an exterior surface of the chip for identification of the chip through FIG. 8 and 'the microlabels 122 may be utilized in any application in which product identification requires exceedingly small labels. Moreover, microlabels bearing other indicia such as letter or numerals, either with or without bar codes, offers IC manufacturers and others a unique microlabelling capability (see FIG 8, label 122 and FIG. 9 labels 128 and 130 ' (abstract). Though Shamir doesn't teach that the labels are on chips, it would have been obvious to an artisan of ordinary skill in the art to include such labels on chips, since Shamir is teaching microlabels for small IC applications, such as circuits on wafers, and it would have been obvious to extend this to chips or other similar IC devices."
> "Shamir fails to teach that the indicia is internal."

Thus it is believed to be clear that the feature of providing a cover layer which is not removable from the surface of the chip, with the cover layer covering the indicia marked on the chip is not in any way suggested by the Shamir patent. All that Shamir is teaching is providing a microlabel without any protection which can be affixed to a the finished surface of an integrated

circuit (IC) component or an IC die. There is no suggestion of protecting the microlabel from removal or remarking in any way or by providing a covering which cannot be removed.

Next, the Office Action stated as follows:

> "Further, Rostoker teaches that indicia on marking locations on an exterior surface of the chip for identification exist through FIG's 2 and 3A-3B."
> "Rostoker fails to teach that the indicia is internal."

Thus it is believed to be clear that the feature of providing a cover layer which is not removable from the surface of the chip, with the cover layer covering the indicia marked on the chip is not in any way suggested by the Rostoker patent. What Rostoker teaches is that since indicia on a chip may cover much of the exterior surface of the chip, heat dissipation needs to be considered in selection of the location and the color of the indicia applied to the chip. Rostoker teaches that the colored indicia need to be located in places and with colors which will facilitate removal of heat from hot spots on the chip, but there is no concern for the concept of protecting the indicia from removal or remarking, nor is there any hint of a way to achieve that goal.

.Next, the Office Action stated as follows

> "Samonides teaches that the indicia is internal through 'An identification label for permanently marking a metal or other etchable surface such as an automobile part with an identifying indicia is disclosed. The label has a protective cover sheet 14, a pressure sensitive adhesive 34 irremovably affixed to the cover sheet, and a liner with a release coating removably affixed to the adhesive. An identifying indicia 44 comprising an etchant in a visible vehicle such as a printing ink is printed on the adhesive at the interface of the removable liner and the adhesive so that when the liner is removed, the remaining portions of the label may be adhesively attached to the metal surface with the etchant of the identifying indicia in etching contact therewith. The identifying indicia will thus be etched into the surface of the part for a permanent marking of the part' (abstract). Though Samonides doesn't teach that the label is specifically for a chip or IC device, at the time the invention was made, it would have been obvious to an artisan of ordinary skill in the art to use such a technique for chip identification since Samonides teaches that it can be used for marking a metal or other etchable, relatively small, surface. Further, it is well known that semiconductors and IC components commonly are etched, further obviating such modification to the teachings of Samonides."
> "Samonides fails to teach forming a non-black optically transmissive material over at least the marking location on the one exterior surface of the chip, that it is transparent or semi-transparent. Further, Samonides fails to teach that the material is used for environmental handling and protection."

The Samonides reference is not directed to labeling of an electronic part or an integrated circuit chip which is an entirely different industry from automobile parts. In addition Samonides does not teach applying a permanent cover sheet which is not removable from the surface of the work

piece. Instead, Samonides has a cover sheet 14 which is irremovable from the adhesive layer 34. There is no indication that the adhesive layer 34 is not easily removable from the work piece. Since a permanently etched set of indicia are formed in the surface of the work piece, the adhesive layer 34 is simply indicative of the pattern of the etching solution in the first (etching) indicia printed on the inner surface of the adhesive layer 34. Most importantly Samonides relates to etching of indicia into a metal surface and the label is temporary as explained at Col. 6, line 53, quoted as follows:

> "It will be apparent that the etching of the indicia onto the metal surface may be accomplished without the label indicia 24 and without the clear film or cover sheet 14 *because these are only a means for identifying the indicia 44 which will be etched into the metal surface*. If desired, the cover sheet may merely be a printed paper cover sheet with the label indicia printed on the exterior surface of this paper cover sheet. A much more finished appearance, however, is achieved with the smooth thermoplastic protective film or cover sheet 14 through which the label indicia 24 is visible. Since the etching indicia 44 is carried in an ink vehicle, this may be rendered visible through the composite label if both the adhesive layer 34 and the film or cover sheet 14 are transparent. In the preferred embodiment, the adhesive is opaque and forms the background for the indicia 24." [Emphasis added]

Thus it is believed to be clear that the feature of providing a cover layer covering the indicia marked on the chip with the cover layer which cannot be removed from the surface of the chip is not in any way suggested by the Samonides patent. Nothing in the above paragraph suggests that the thermoplastic film cannot be removed from the metal surface.

Next, the Office Action referred to the Hoppe patent, stating as follows:

> "Hoppe teaches a multiplayer [sic] identification card containing an IC module (chip) I a cavity. Hoppe teaches that a clear silicon rubber known by the name of Sylgar 186 Elastomer (col 4, lines 22+) can be used to fill the cavity and cover the chip. It is well known and has been taught above, that chips have identifying indicia on their surface (via etched or labels applied), such as a serial number/product number/etc. Further, it is well known that polymers for encapsulation are transparent, though colors can be added. Moreover, the Dow Corning website (www.dowcoming.com/content/etronics/etronicsencap)etronic-enc_ov.asp teaches that the Sylgard 186 is transparent, and non-black, and hence optically transmissive."

The Hoppe U.S. patent No. 5,013,900 which has apparently been substituted for the Hess reference, does not state that the silicon rubber is clear. To sustain that allegation, the material 32 is described at Col. 4, lines 16-32 as follows:

> "In a subsequent working step the cavities remaining in the layer series even after the carrier element has

> been incorporated are filled in by a regulated quantity of material 32 with a consistency ranging from liquid to pasty (FIG. 5).
> "A material which is appropriate according to the invention is, for example, the silicon rubber known by the name of "Sylgard 186 Elastomer" (Dow Corning Company). This is a castable two-component material of medium viscosity which cross-links, after the components are mixed, to form a solid rubber-like mass more or less quickly depending of the heat applied. Depending on the degree of viscosity the cavities present in the area of the carrier element are filled in completely or only partially before lamination, in accordance with their size and accessibility."

The is no suggestion or implication in the above quoted paragraphs which describe the material 32 that the material is or should be a transparent polymer. That is simply not what is being discussed in the Hoppe patent. In other words, whether the Sylgard material is or is not transparent appears to be of little relevance in terms of what is taught by Hoppe. The question of whether the type of Sylgard being sold in 1989 was transparent or was not transparent is a question which was attempted in the Office Action to be resolved by reference to a web site. In 1989, it is very unlikely that the material found recently on the web site was published in 1989 since the date of the copyright on the printed version of the web site has a copyright date from 2000 to 2003. Moreover, those dates would not be prior art as to the present invention since it was filed on March 12, 2000. The earliest publication date of the pertinent material on the web site is unknown and there is no showing that it is prior art. It is a matter of speculation as to whether Sylgard 186 was transparent at the time of filing of the instant application. Thus the web site reference is believed to be invalid. In addition, while an integrated circuit module 5 that is located below the silicon rubber 32, there is no suggestion that the integrated circuit module 5 is marked with any identification indicia or markings of any kind. Accordingly, it is believed that the Hoppe reference is not relevant to the instant invention as a prior art reference.

The Office Action continued as follows:

> "Therefore, at the time the invention was made, it would have been obvious to an artisan of ordinary skill in the art to combine the teachings of Rostoker with Samonides and Hoppe, since it has been taught above that chips have identification on their outer surface, and Hoppe teaches the application of a

transparent polymer to the surface of a chip to cover it. One would have been motivated to combine the references to label a chip for identification in a method that is well known in the art, while also protecting the chip when inserted into a card application, as also is well known in the art. Hoppe teaches encapsulating for protecting the chip, which includes handling/environmental protection since the chip is encapsulated, it is understood that it is protected to a certain degree from such factors."

As pointed out above, the Hoppe reference is believed to fail to teach or suggest the provision of a transparent covering or any markings on the surface of the integrated circuit module 5.

The Office Action stated further as follows:

"Re claims 4 and 8, at the time the invention was made, it was well known in the art that conventional bar codes are read by bar code systems directing electromagnetic radiation on the marking indicia (barcode) and processing the received reflected radiation/images, that such reading can take place even when the indicia is behind a transparent layer, such as the case in grocery stores, etc."

"Re claim 5, though Shamir fails to teach a non-black optically transmissive colored material covers at least the marking location of the one exterior surface of the chip, Shamir teaches" 'a color bar encoded microlabel, small enough to be placed on the surface of the die' "(Abstract) and 'The microlabels, whether color bar or black/white coded, are applied preferably at the wafer probing stage' (abstract). This is interpreted to include color bar codes on chips and other semiconductor devices."

"Further, though Hoppe teaches the use of a polymer, Hoppe is silent to the specifics of the color."

"However, at the time the invention was made, it was well known that transparent/semi-transparent polymers for encapsulation can come in different colors, formed by adding colored dyes, for application specific purposes (see attached Dow Corning website for 186Dow Corning 3-4207 Tough Gel Dielectric Gel, for example)."

As stated above, the date of the web site is 2000-2003 and there is no showing that it was prior art. It is a matter of speculation as to whether 186Dow Corning 3- 4207 Tough Gel Dielectric Gel was transparent at the time of filing of the instant application. Thus the reference is believed to be invalid. The Office Action continued as follows:

"Consequently, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made, to use a colored polymer. One would have been motivated to do this as a matter of design variation, since the applicant has not disclosed that a colored covering material solves any stated problem for the current invention, and it appears the invention would perform equally well with an uncolored polymer/material."

"Re claims 6 and 7, since Hess, Jr. et al. teaches a cover over the indicia, and Shamir teaches labeling on IC dies on wafers, this is interpreted to include preventing remarking indicia or identification marks on the chip/silicon for a semiconductor package, especially since silicon is well known as a semiconductor and is commonly found in wafer forms. Further, the etched or microlabels are on the device themselves, thus preventing remarking since they are not easily alterable. Further, being under a polymer such as that taught by Hoppe (encapsulated) remarking is prevented."

"At the time the invention was made, it would have been obvious to an artisan of ordinary

skill in the art to combine the teachings of Shamir, Rostoker, Samonides, and Hoppe."

"One would have been motivated to do this to provide a reliable, and robust way of identifying chips/semiconductor components by adding a cover to preserve the physical indicia and its genuineness, while still being able to read and identify the chip/indicia using conventional methods through the protective material layer, since it is well known and conventional to apply indicia/labels to chips/small IC devices, as it is also well known to encapsulate such IC chips with a transparent polymer, when the chip is embodied in a card."

Since Hoppe does not describe marking, discussion of remarking is believed to manifest creative use of forbidden hindsight in the Office Action. The fact that there is no mention or marks on module 5 or transparency of the layer 32 in Hoppe makes it clear that Hoppe is a non analogous reference since it has nothing to do with marking of products.

As to Hess, it is believed to be from the non-analogous art of business forms. There is no suggestion in Hess that the film provided is not easily removable. Those who use Moore business forms know that they are for Office Use and that they can be removed as can postage stamps with weak adhesive backing. They are not intended to difficult to remove and in fact they fall off after time. Accordingly the reference is believed to be suitable for withdrawal from further consideration because it has nothing to do with prevention of fraud and the manufacture of industrial products such as chips and even automobile parts which require permanent marking to prevent fraud and theft.

The combination of references suggested of Shamir, Rostoker, Samonides, and Hoppe is hereby asserted to be based upon use of forbidden hindsight to assemble references with the above cited failures to patch together a set of arguments which fail to suggest the present invention even when combined. Samonides in addition to being non-analogous does not teach use of a protective layer over the marking.

At the time the invention was made, it would have been obvious to an artisan of ordinary skill in the art to combine the teachings of Shamir, Rostoker, Samonides, and Hoppe.

"One would have been motivated to do this to provide a reliable, and robust way of identifying chips/semiconductor components by adding a cover to preserve the physical indicia and its genuineness, while still being able to read and identify the chip/indicia using conventional methods through the protective material layer, since it is well known to encapsulate such IC chips with a transparent polymer, when the chip is embodied in a card."

Since Hoppe has been shown to be a clearly distinguishable reference above, as to the above arguments, the parent claims are believed to be patentable and the additional features in combination

are believed to enhance the degree of patentability of the combinations claimed.

In part 5 of the Detailed Action, under 35 U.S.C. 103(a), claims 9, 12,13-17, 19-22, and 25 were rejected as being unpatentable over Rostoker in view of Samonides Hoppe and Shamir. The Office Action stated as follows:

> "Rostoker teaches a semiconductor, integrated circuit chip having surfaces including a planar front surface, a planar back surface and edges of the chip between the planar surfaces with at least on electrical contact site on a surface tl1lough FIG 2 and FIG. 6. Rostoker teaches marking indicia 320a, 320b and 632b upon an exterior marking portion of a surface of the chip for identifying the chip through Figs. 3A-3B, and 6A."
>
> "However, Rostoker fails to teach that the indicia is internal, forming a non-black layer covering the exterior surface of the chip at least at the exterior marking portion thereof, the non-black layer being composed, of a colored, optically transmissive, transparent material preventing remarking, whereby the indicia are visible through the non-black layer."
>
> "Samonides teaches that the indicia is internal through 'An identification label for permanently marking a metal or other etchable surface such as an automobile part with an identifying indicia is disclosed. The label has a protective cover sheet l4, a pressure sensitive adhesive 34 irremovably affixed to the cover sheet, and a liner with a release coating removably affixed to the adhesive. An identifying indicia 44 comprising an etchant in a visible vehicle such as a printing ink is printed on the adhesive at the interface of the removable liner and the adhesive so that when the liner is removed, the remaining portions of the label may be adhesively attached to the metal surface with the etchant of the identifying indicia in etching contact therewith. The identifying indicia will thus be etched into the surface of the part for a permanent marking of the part" (abstract). Though Samonides doesn't teach that the label is specifically for a chip or IC device, at the time the invention was made, it would have been obvious to an artisan of ordinary skill in the art to use such a technique for chip identification since Samonides teaches that it can be used for marking a metal or other etchable, relatively small, surface. Further, it is well known that semiconductors and IC components commonly are etched, further obviating such modification to the teachings of Samonides."
>
> "Samonides fails to teach forming a non-black layer covering the exterior surface of the chip at least at the exterior marking portion thereof, the non-black layer being composed, of a colored, optically transmissive, transparent material preventing remarking the indicia on the exterior marking surface of the chip, whereby the indicia are visible through the non-black layer. Samonides also fails to teach that the optically transmissive material is used for environmental protection/handling of the silicon."

Most importantly Samonides relates to etching of indicia into a metal surface and the label is temporary as explained at Col. 6, line 53, quoted as follows:

> "It will be apparent that the etching of the indicia onto the metal surface may be accomplished without the label indicia 24 and without the clear film or cover sheet 14 *because these are only a means for identifying the indicia 44 which will be etched into the metal surface*. If desired, the cover sheet may merely be a printed paper cover sheet with the label indicia printed on the exterior surface of this paper cover sheet. A much more finished appearance, however, is achieved with the smooth thermoplastic protective film or cover sheet 14 through which the label indicia 24 is visible. Since the etching indicia 44 is carried in an ink vehicle, this may be rendered visible through the composite label if both

the adhesive layer 34 and the film or cover sheet 14 are transparent. In the preferred embodiment, the adhesive is opaque and forms the background for the indicia 24." [Emphasis added]

Thus it is believed to be clear that the feature of providing a cover layer covering the indicia marked on the chip with the cover layer which cannot be removed from the surface of the chip is not in any way suggested by the Samonides patent. There is nothing suggesting that the thermoplastic film or cover sheet cannot be removed. Moreover, the marking of automobile parts is quite different from marking of IC chips which are not at all in the same category of products. Nothing in the above paragraph suggests that the thermoplastic film cannot be removed from the metal surface.

The Office Action stated further as follows:

"Hoppe teaches such a material as discussed above. Further, since the protective material is transparent, the indicia are visible through the layer. As taught above, it is understood that the polymer/cover layer cannot be scarped [sic] off the chip for replacing the indicia, since the chip is encapsulated by the polymer for protection purposes. Though the specifics as to the color of the optically transmissive transparent cover are not disclosed, at the time the invention was made, it was well known that transparent/semi-transparent polymer, as discussed above. One would have been motivated to do this as a matter of design choice, sine the applicant has not disclosed that a colored covering material solves any stated problem or is for any particular purpose, and it appears that the invention would perform equally well with conventional transparent polymer. However, colored transparent polymers have been discussed above, as well. Re claim 19, it is understood that such a polymer can be protective against the environmental handling/protection, since the purpose of encapsulation is to protect the chip, while ensuring electrical connectivity as necessary when embodied in a card. Further as mentioned above, the polymer is well known to provide protection against environmental/handling damage."

"Re claim 12, Rostoker teaches the color represents identification of the chip as discussed above in claim 11, and Shamir teaches marking indicia for identification. Therefore, at the time the invention was made, it would have been obvious to have color and indicia as means for identification. One would have been motivated to do this since Rostoker teaches that color is used to identify characteristics of the chip visible from far away such as pin location, etc., whereas the bar-coded indicia taught by Shamir could identify more in-depth data that would need to be encoded in bar code form. Thus the two different identification techniques allow different levels and amounts of data to be stored about the chip, thus being more convenient and user friendly for a user who needs to use, identify, or determining specific parameters of the chip, which are understood to be viewable through a transparent encapsulated polymer, as taught by Hoppe, which conventionally covers a chip, for example when embodied in a card application."

"Re claim 17, it has been taught above that the transmissive material is transparent. Further, at the time the invention was made, it would have been obvious to an artisan of ordinary skill in the art that the indicia taught by Rostoker or Samonides inherently prevent remarking since they are labels or etched indicia on the chip/device itself, and prevent remarking since they are not easily alterable, and are below a encapsulated layer."

"Re claims 20 and 21, though the prior art is silent to teaching the internal indicia are read

tl1fough the non-black optically tansmissive material in response to images of the internal marking indicia provided by reflections of the electromagnetic radiation directed upon the indicia, at the time the invention was made, it was well known in the art that conventional bar codes are read by directing electromagnetic radiation/illumination means on the marking indicia (barcode) and processing/reading the received reflected radiation/images, and that this reading process can take place through transparent layers, as in the case of grocery stores, etc."

"At the time the invention was made, it would have been obvious to an artisan of ordinary skill in the art to combine the teachings of Rostoker, Samonides, and Hoppe."

"One would have been motivated to do this to provide a reliable, and robust way of identifying chips/semiconductor components by adding a cover to preserve the physical internal indicia/card and its genuineness, while still being able to read and identify the chip/indicia using conventional methods (barcode/color identification), through the protective polymer layer, which is well known in the art."

In part 6 of the Detailed Action, claims 10,18, and 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rostoker as modified by Samonides, and Hoppe, and further in view of Shamir, as applied to claim 1. The Office Action stated as follows:

"The teachings of Rostoker as modified by Samonides and Hoppe have been discussed above."

"Rostoker as modified by Samonides and Hess, Jr. et al. fails to teach the internal indicia are read through the non-black optically tansmissive material in response to images of the internal marking indicia provided by reflections of the electromagnetic radiation directed upon the indicia."

"However, at the time the invention was made, it was well known in the art that conventional bar codes are read by directing electromagnetic radiation/illumination means on the marking indicia (barcode) and processing/reading the received reflected radiation/images, and that this reading process can take place through transparent layers, as in the case of grocery stores, etc."

"It would have been obvious to an artisan of ordinary skill in the art to combine the teachings of Rostoker as modified by Samonides, and Hoppe, and further in view of Shamir, as applied to claim 1.One would have been motivated to do this to provide a reliable, and robust way of identifying chips/semiconductor components by adding a cover to preserve the physical internal indicia and its genuineness, while still being able to read and identify the chip/indicia using conventional methods, through the protective material layer."

It is believed that all of the above issues in parts 6 of the Detailed Action have been dealt with above and so the arguments made with respect to rejections prior to part 6 are incorporated by reference to avoid redundancy and prolixity. Moreover as the parent claims are believed to be patentable and the additional features in combination are believed to enhance the degree of patentability of the combinations claimed. The Office Actions stated as follows:

"Additional Remarks"

"7. The examiner notes that the explanation of 'scraped off' re claims 1, 12, 13,22, and 25

as submitted by the Applicant in the RCE of 19 November 2002, sufficiently clarifies the 35 U.S.C. 112 rejections for that phrase for the Examiner. However, the amendment in the RCE of 19 November 2002, which changed 'scraped off' to 'easily scraped off' confuses the examiner, and is seen as unnecessary . The Examiner requestfully suggests that 'easily scraped off' be replaced with -- scraped off -- for clarity purposes."

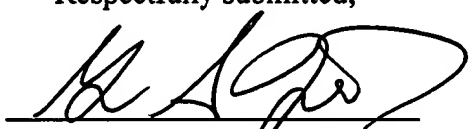
In view of the amendments to the claims, that issue is believed to be moot.."

In summary, the amended claims are believed to be patentable and the additional features of the dependent claims are believed to enhance the degree of patentability of the combinations claimed.

Attached hereto are several pages including a marked-up version of the changes made to the specification and the claims. The attached pages are captioned with "Version with markings to show changes made."

In view of the amendments and the above remarks favorable action including allowance of the claims and the application as a whole are respectfully solicited.

Respectfully submitted,



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VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS

Please amend the claims to read as follows:

1. (Twice Amended) A method of marking ~~[a]~~ **an electronic integrated circuit** chip having surfaces comprising the following steps:

forming internal marking indicia on a marking location upon an exterior surface of the chip for identification of the chip, and

forming a non-black, optically transmissive encapsulating material over at least the marking location on the one exterior surface of the chip which non-black, optically transmissive material cannot be **[**~~easily~~**]** scraped off of the chip for prevention of replacement of the internal marking indicia by different markings.

3. (Twice Amended) The method of claim 1 wherein the non-black, optically transmissive encapsulating material is a protective encapsulating material adapted to provide protection from damage as the result of environmental and handling factors.

6. (Twice Amended) The method of claim 1 wherein the non-black, optically transmissive material comprises a material such as epoxy which prevents remarking indicia or identification marks on the chip.

12. (Thrice Amended) A method of marking [~~a~~] **an electronic integrated circuit** chip having surfaces comprising:

forming internal marking indicia on a marking location upon an exterior surface of the chip, and

forming a non-black, optically transparent material colored with a particular color over at least the marking location on that exterior surface of the chip wherein the material colored with the particular color together with the marking indicia represents identification of the chip which non-black, optically transparent, colored material cannot be [~~easily~~] scraped off of the chip for prevention of replacement of the internal marking indicia by different markings.

13. (Thrice Amended) [~~A~~] **An electronic integrated circuit** chip comprising:

the chip having exterior surfaces,

internal marking indicia formed on a marking location upon an exterior surface of the chip for identification of the chip, and

a non-black, optically transmissive material formed over at least the marking location on the one exterior surface of the chip which non-black, optically transmissive material cannot be easily scraped off for prevention of replacement of the internal marking indicia by different markings.

22. (Twice Amended) An electronic integrated circuit chip comprising:

a semiconductor, integrated circuit chip having surfaces including a planar front surface, a planar back surface and edges of the chip between the planar surfaces with at least one electrical contact site on a surface,

indicia marked upon an exterior marking portion of a surface of the chip for identification of the chip,

a non-black layer covering the exterior surface of the chip at least at the exterior marking portion thereof, the non-black layer being composed of a colored, optically transmissive material which non-black, optically transmissive material cannot be **[~~easily~~]** scraped off of the chip for prevention of replacement of the indicia by different markings and for preventing remarking the indicia on the exterior marking surface of the chip, and

the indicia being visible through the non-black layer.

25. (Thrice Amended) **[~~A~~]** **An electronic integrated circuit** chip comprising:

internal marking indicia formed on a marking location upon an exterior surface of the chip, and

a non-black, optically transparent material colored with a particular color formed over at least the marking location on that exterior surface of the chip wherein the material colored with the particular color together with the marking indicia represents identification of the chip which non-black, optically transmissive material cannot be **[~~easily~~]** scraped off of the chip for prevention of replacement of the internal marking indicia by different markings.